

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR19-0230JLR

Plaintiff.

ORDER SETTING TRIAL DATE

V.

LEONTAI BERRY.

Defendant

Having considered the record in this matter, and the General Orders of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which are incorporated herein by reference, the Court hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of COVID-19, it is still not possible at this time to proceed with a jury trial. However, with vaccinations rising and case counts, hospitalizations, and deaths falling, it appears that jury trials may safely resume in the near future.

- 1 2. The Western District of Washington will resume in-person criminal jury trials on
2 May 17, 2021, with one jury trial proceeding at a time in each courthouse. *See GO*
3 04-21. During this initial phase, criminal jury trials have been prioritized for trial in
4 May and June primarily based on the age of the case and the defendant's custody
5 status. Mr. Berry is out of custody.
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7 3. The Court incorporates its oral findings and conclusions from the status conference
8 held on April 5, 2021.
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10 4. For the foregoing reasons, the Court finds that the failure to grant a continuance of
11 the trial date in this case would result in a miscarriage of justice. *See* 18 U.S.C.
12 § 3161(h)(7)(B)(i). Accordingly, pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court
13 finds that the ends of justice served by continuing the trial in this case outweigh the
14 best interest of the public and the defendant in a speedier trial.

15 IT IS ORDERED that the trial date in this matter is set for July 1, 2021. The pretrial
16 motions deadline is set for May 27, 2021.

17 IT IS FURTHER ORDERED that the period of time from the status conference on
18 April 5, 2021, up to and including the new trial date of July 1, 2021, shall be excludable time
19 pursuant to 18 U.S.C. § 3161.

20 Dated this 12th day of April, 2021.



21
22 The Honorable James L. Robart
23 U.S. District Court Judge
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4 Presented by:
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6 /s/ Jessica M. Manca
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11 CATHY GORMLEY
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